No. RD 313 AQL 72, dated 23rd June 1972.

In exercise of the powers conferred by Section 42 of the Land Acquisition Act (I of 1894) as amended by the Mysore Act 17 of 1961, the agreement entered into by the President, Karnatak Ayurved Vidyapeeth Society, Shahapur, Belgaum, with the Government of Mysore as annexed hereto is published as required by the said Section.

AGREEMENT

An agreement made this the.....twelth.....day of..... April.....One thousand the Nine Hundred Seventy Two between the Karnatak Ayurved Vidyapeeth Society, Shahapur Belgaum registered under the Bombay Companies Act, registration of Society's Act XXI of 1860 and having its registered Office at Shahapur—Belgaum District, Belgaum (herein after called "The society" with expression shall unless excluded by or repugnant to the context, be deemed to include its successors and assigns) of the one part, and the Government of Mysore of the other Part.

Whereas the Principal objects for which the society is established are :

(1) To encourage and propagate the Ayurvedie System of Medicine.

(2) To impart education in Medicine according to Indian systems of Medicine by strting or by affiliating: schools or other institutions as may be.

(3) To start maternity homes and training classes for nurses.

(4) To carry on research in Ayurveda.

(5) To undertake any other work that is likely to further the cause of the society.

And whereas the society has applied to the Government of Mysore (herein after referred to as "The Government") that certain land measuring (Acres out of R. S. No. 215A of Belgaum in Belgaum District) more particularly described in the Scheduled hereto annexed (and herein after referred as "the said land"), should be acquired under the provisions of the Land Acquisition Act 1894 (Central Act No. 1 of 1894) as amended by the Land Acquisition Act (Mysore Extension and amendment) Act 1961 (Mysore Act 17 of 1961) (Hereinafter referred to as "the said Act") for the following purposes namely :—

For Construction of Hospital and Staff quarters for Employes of Karnatak Ayurveda Vidyapeet Society Shahapur Belgaum District, Belgaum.

And whereas the Government having caused an enquiry to be made in comformity with the provisions of the said Act and being satisfied as a result of such inquiry that the acquisitions of the said land is needed for construction of quarters for employees of Karnatak Ayurveda Vidyapeeth Society Shahapur—Belgaum District Belgaum has consented to the Provisions of the said Act being put in force in order to acquire the said land for the society and has persuant to section 41 of the said Act required to the society to enter into an Agreement herein after contained with the Government :

Now these present, witness and it is by ageed that the Government shall put in force the provisions of the said Act in order to acuire the said land for the Society on the following conditions namely :—

I. The society shall pay to the Government the entire cost as determined by the Government, of the acquisitions of the said land including all compensation, damages, costs, charges, and other expenses what so ever, which have been or may be paid or incurred in respect of or on account of such acquisition or in cannection with any litigation arising out of such acquisitions whether in the original or Appellate Courts, and inculding the cost on account of any establisment, and salary of any officer or officers of the Government whom the Government may think it necessary to employ or depute on special duty for the purpose of such acquisition and also incluping the percentage charges on the total amount of compansation awarded as prescribed by Government or any other which may be issued by the Government hereafter in supersession of modification or the said orders. The money which shall be payable by the society under this clause shall be paid by it by the intial deposit with the Assistant Commissioner Belgum (herein after called the Assistant Commissioner) of the sum of rupees Fifty thousand and fifty nine and paise eighty six only) within seven days after the execution of this agreement and thereafter by payment to the Assistant Commissioner within fourteen days after demand by the Assistant Commissioner in writing of such further amount or amount as the Assistant Commissioner shall from time to time estimate to be required for the purpose of paying or disbursing any compensation, damages, costs charges, or expenses herein before referred to.

2. On payment of the entire cost of the acquisition of the said land, as herein above referred, the whole of the said land shall, as soon as conveniently may be, be transferred to the society at the cost of in every respect of the society so as to vest in the society subject to the provisions of the Mysore Land Revenue Act, 1964 (herein after called the "said Act and the rule made there under and the subject also to the provisions of this agreement as to the terms on which the land shall be held by the society.

3. The said land when so transferred to and vested in the society, shall be held by the society as its property to be used only in the furtherence of and for purpose for which it is acquired, subject nevertheless to the payments of agricultural non-agricultural or other assesment if and so far anthe said land is or may from time to time be liable to such assessment under the provisions of the said Act and rules made thereunder and the local cases, as the case may be.

4. (i) That the society shall not except with the Previous sanction of the appropriate, Government, use the land for any purpose other than that for which it is acquired.

(ii) That the time within which the hospital and quarters directly connected therewith shall be erected or provided or the building, or work shall be constructed or executed shall not exceed three years from the date of transfer of the land to the society.

(iii) That where the appropriate Government is satisfied after such enquiry as it may deem necessary that the society was prevented by reason beyond its control from erecting. providing, constructing or executing hospital and quarters within the time specified in the agreement, the appropriate Government may extend the time for that pupose by pericd not exceeding one year at a time so however that the total period of extension shall not exceed three years.

(iv) that if the society commits the breach of any of the conditions provided for in the agreement, the appropriate Governmeut may make an order declaring the transfer of the land to the society as null and void whersupon the land shall revert back to the appropriate Government and directing that an amount not exceeding one fourth amouut paid by the societytho the appropriate Govesament as the cost of acquisition under clause (i) of section 41 of the Act shall be forfited to the appropriate Government as damages and the balance shall be refunded to the society and the order so made final and binding.

(v) That if the Society utilises only the portion of land for the purpose for which it was acquired and appropriate Government is satisfied that the society can continue to utilise the portion of land used by it even if the unutilised parts thereof is resumed, the appropriate Government may make an order declaring the transfer of the land with respect the un-utilised portion there of as null and void whereupon such unutilsed portion shall revert back to the appropriate Goverament and directing that an amount not exceeding one fourth of such portion of the amount paid by the society as cost of the acquisition under clause (i) of the sectien 41 of the Act as is relatable to the unutilised portion shall be forfited to the appropriate Government as damages and that balance of that portion shall be refunded to the society snd the order so made, shall, subject to the provisions of the clause (vi) be final and bidding ;

(vi) that where there is any dispute with regard to the amount relatable to the unutilised portion of the land such dispute shall be referred to the Court within whose jurisdiction the land or any part thereof is situated and the decision of the Court thereon shall be final.

(vii) Where the Society commits a breach of any of the terms of the agreement, the appropriate Government shall not make an order under clause (iv) or clause (v) above, unless the Society has been given an opportunity of being heard in the matter.

(viii) The appropriate Government shall consult the Committe before according any sanction uner clause (i) above, or extedning the time under clause (iii) above or making any order under clause (iv) or clause (v) above.

5. (i) That is any case of urgeney where possession of any land as proposed to be taken under Section 17 before an award has been made under Section 11 of the Act. the Society shall deposit with the Assistant Commissioner, Belgaum. free of interest such amount (being not more then 2/3 of the approximate amout of compensation payable in respect of the land as determined under clause (ii) of sub-rule 2 of rule rule 4 of Land Acquisition (Compaauy) Rules. 1963 and within such time as the Assistant Commissioner, Belgaum, thinks fit, to specify in this behalf.

(ii) Where any amount has been deposited with the Assistant Commissioner under sub-clause i of clause 5 the Assistant Commissioner shall tender payment of the amount so deposited to the persons intersted who, in the opinion of the Assistant Commissioner are entitled to receive payment of compensation under sub-section (1) of Section 31 of the Act and shall pay it to them, unless prevented by some one or more of the contingencies mentioned in sub-section (2) of section 31 of the Act. subject to the following condi'sons namely: -

1. the execution of an agreement by such recipient that the amount received by him would be adjusted against the compensation finally awarded and that where the amount received by him exceeds the amount of the compersation finally awarded the excess amount shall be recoverable from him as arrears of land revenue and that he shall not claim any interest under the provisions of the Act in respect of the amount received by him under this sub-rule and

2. the execution of a Bond by each receipient with or without security as the Assistant Commissioner may decide undertaking to indemnify the appropriate Government against any claim for compensation or part thereof by any other person.

3. if the amount deposited by the society under sub-clause (i) of clause 5 or any part thereof is not paid under sub-clause (2) of clause 5 the Assistant Commissioner shall as soon as practicable, refund the same to the ociety.

All the costs and expenses of and incidental to the preparation and execution of these presents shall be paid by the society.

THE SCHEDULE ABOVE REFERRED TO

District : Belgaum Taluka : Belgaum Village : Belgaum

S. No.	*Area*
215 A of Belgaum	Acres G.A. 2-1-0

TO BE ACQUIRED FOR CONSTRUCTION OF HOSPITAL AND STAFF QUARTERS FOR THE KARNATAK AYURVED VIDYAPEETH SOCIETY SHAHAPUR-BELGAUM.

In witness thereof, Padmabhushan Dr. M. C. Modi, President Karnatak Ayurveda Vidyapeeth Society hath for and on behalf of the Society, set his hand and the seal of the society and the seal of society and the Assistant Commissioner of Balgaum hath on behalf of the Government of Mysore, set his hand and affixed the seal hereto the ay and year first abov written.

igned, sealed and delivered by in the presence of : (1) XX (2) XX

President Sd/ Karnatak Ayurved
Vidyapeeth Society, Shahapur-Belgaum.
Society Seal

Signed, Sealed and delivered by
in the presence of : (1) XX (2) XX

Sd/
12-4-1972
Assistant Commissioner, Belgaum
Approved : Deputy Commissioner
Belgaum.
Sd/
For and on behalf of the Governor of Mysore
B. P. KRISHNA,
Under Secretary to Government, R.D.

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